

Remarks / Arguments

Claims 1-11, and 13-14 are pending in this application. Claims 1-11, 13 and 14 stand rejected. Claims 1, 7, 9, 10, 13 and 14 are being amended.

The applicant believes that all the claims present in this application are allowable. If however, there remain are any unresolved issues requiring adverse action in any of the claims now pending in this application, it is requested that the Examiner telephone Jeffery J. Brosemer, Ph.D., ESQ. at 732-335-5773 so that arrangements may be made for resolving such issues as expeditiously as possible.

Claim Rejections -35 U.S.C. §103

Claims 1-11, 13 and 14 are rejected under the provisions of 35 U.S.C. §103(a) as being unpatentable over United States patent No. 6510153 issued to Inoue et al on January 21, 2003 (hereinafter Inoue patent) in view of United States patent No. 6636491 issued to Kari et al. on October 21, 2003 (hereinafter Kari patent).

As amended, claim 1 is directed to a method of configuring a mobile host when the mobile host powers up without a permanent home address in a foreign network. In particular, the method includes the steps of acquiring a temporary IP address, wherein the temporary IP address is allocated by a bootstrapping agent associated with a home agent of the mobile host's home network, upon receiving the temporary IP address, establishing a temporary tunnel between a foreign agent and the home agent, and communicating configuration information including the permanent home address, from a DHCP server in the home network, such that the mobile host connects to the Internet.

Turning now to the Inoue patent, there it discloses a mobile communication scheme using dynamic address allocation protocol wherein a temporary address is allocated such that the mobile host connects to the DHCP server in a home network using the temporary address as the home address (please see col.16 lines 4-12).

In sharp contrast, according to the claimed invention, the temporary address is not used as the home address. Instead, the temporary address is used to establish a temporary tunnel established between the home agent and the foreign agent thereby, enabling the

mobile host to acquire the permanent home address when the mobile host powers up in the foreign network, such that the mobile host connects to the Internet.

Since the Examiner correctly identified this difference between the claimed method and the method disclosed in the Inoue patent, the Examiner necessarily cited the Kari patent to find support for the claimed temporary tunnel.

Referring now to Fig.1 and the associated disclosure in the Kari patent, there it discloses a method for connecting a mobile station (MS) residing in a cell (CELL1) including a base station system (BSS), and supported by a service node (SGSN), to one or more access points of external networks (11, 12, 14 and 15) via respective gateway nodes (GGSN) to route packets between the mobile station and the respective external networks (please see col.3 lines 24-33, and col.3 lines 60-67).

Those skilled in the art will recognize that the CELL1 in the Kari patent is equivalent to a 'home network'. Accordingly, the method teaches connecting the MS from the 'home network' to the one or more external networks (please see col. 2 lines 47-56, and col.4 lines 1-11).

The applicants note that the Kari patent does not teach or suggest, that the method is applicable to the MS when the MS powers up without a permanent home address, in a foreign network.

Continuing, while the Kari patent further teaches that the MS may acquire an address dynamically, it is one of the predetermined GGSN stored as the subscriber information of the MS in the SGSN, or one of the other GGSN associated with the one or more external networks, allocates the dynamic address.

In sharp contrast, according to the claimed method the bootstrapping agent in the home network allocates the temporary address.

And while the Kari patent discloses that the SGSN creates a TID (Tunnel Identifier, a Tunneling protocol) it does not teach or suggest, that the TID is created between the SGSN and the one or more GGSNs. Instead, the Kari patent clearly states that the TID is created between GGSNs (please see col. 6 lines 54-61).

The Kari patent further fails to teach that the TID is subsequently used to communicate a permanent home address.

If one assumes for the sake of argument that the SGSN is equivalent to the claimed home agent and the one or more GGSNs are equivalent to the claimed foreign agent, respectively, the Kari patent does not teach several important aspects of the claimed method.

In particular, the Kari patent does not teach or suggest either explicitly or implicitly, that -

- a. the method is applicable when the mobile station powers up without a permanent address, in a foreign network,
- b. the SGSN of the mobile station allocates the temporary IP address, and
- c. the temporary IP address is used for establishing a temporary tunnel between the SGSN and the one or more GGSNs for communicating the permanent home address to the mobile station.

In view of the above discussion, it can be readily recognized by those skilled in the art, that the TID as taught in the Kari patent is not the same as the claimed temporary tunnel.

The applicants submit that the Kari patent in the cited combination with the Inoue patent does not teach either explicitly or implicitly, all the aspects recited in amended claim 1 namely, acquiring a temporary IP address from the home agent, establishing a temporary tunnel between the foreign agent and the home agent for communicating the permanent home address, from the home network to the mobile host, when the mobile host powers up without a permanent home address in the foreign network.

Therefore, the cited combination of Inoue patent in view of the Kari patent does not render amended claim 1 unpatentable. Since amended independent claims 9, 10, 13 and 14 each recites substantially similar limitations, the cited combination of the Inoue patent in view of the Kari patent does not render these amended claims as unpatentable as well.

Inasmuch as the dependent claims 2-8, and 11 each depend from, and further distinguish amended claims 1 and 10, respectively, the cited combination of the Inoue patent and the Kari patent does not render these claims unpatentable as well.

The applicants respectfully request the Examiner to withdraw the rejections under the provisions of 35 U.S.C. §103(a).

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Conclusion:

The applicants submit that the claims now present in the application are in compliance with the provisions of 35 U.S.C. §103, and are therefore patentable. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

Respectfully submitted,
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CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office on 7/3/2008.

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